

REMARKS

Claims 1-8, 11-16 and 19-26 are pending in this application.

By this Amendment, claims 1 and 22 are amended to incorporate the subject matter recited in claims 9 and 10, and to recite additional features disclosed in the specification at, for example, Fig. 1. Claims 9 and 10, as well as claims 17 and 18, are canceled.

Claims 11, 12 and 16 are amended to change their dependence from claims 9 or 10 to claim 1 in view of the cancellation of claims 9 and 10.

Claim 14 is rewritten into independent form, and amended to recite additional features disclosed in the specification at, for example, Fig. 1.

New dependent claims 25 and 26 are added to recite additional features disclosed in the specification at, for example, Fig. 1.

Reconsideration in light of the foregoing claim amendments and the following remarks is respectfully requested.

The Examiner is respectfully requested to acknowledge consideration of the references listed on, and to return initialed copy of, Forms PTO-1449 submitted with the July 7, 2005 and August 2, 2005 Information Disclosure Statements. For the Examiner's convenience, copies of the July 7 and August 2, 2005 Forms PTO-1449 are enclosed herewith.

The Office Action rejects claims 1-3, 9, 10, 15-18 and 22-24 under 35 U.S.C. §102(b) over JP-A-2000-067449 to Kondo et al. ("Kondo"); rejects claims 1 and 13 under 35 U.S.C. §102(b) over JP-A-06-151972 to Aoyama et al. ("Aoyama"); rejects claim 4 under 35 U.S.C. §103(a) over Kondo in view of U.S. Patent 6,154,479 to Yoshikawa et al. ("Yoshikawa"); rejects claims 5, 7, 8 and 11 under 35 U.S.C. §103(a) over Kondo in view of JP-A-63-007674 to Kakimoto ("Kakimoto"); rejects claim 6 under 35 U.S.C. §103(a) over Kondo in view of JP-A-2000-076682 to Kondo ("Kondo-II"); rejects claim 12 under 35 U.S.C. §103(a) over

Kondo in view of Kakimoto and further in view of U.S. Patent 4,706,101 to Nakamura et al. ("Nakamura"); rejects claim 14 under 35 U.S.C. §103(a) over Aoyama in view of U.S. Patent 6,775,310 to Sai et al. ("Sai"); and rejects claims 19-21 under 35 U.S.C. §103(a) over Kondo in view of Aoyama. These rejections are respectfully traversed.

All independent claims 1, 14 and 22, as amended, recite "a diameter of the base member being smaller than a diameter of the pillar portion." The applied references, either individually or in combination, do not disclose or suggest such a feature.

In particular, Kondo discloses a device with a contact layer 102 ("base member") and a pillar-shaped section 101 ("pillar portion"). See Fig. 1 and paragraphs 0024-0027. However, the diameter of the contact layer 102 is the same as the diameter of the pillar-shaped section 101. Kondo does not disclose or suggest a device in which the diameter of a base member is smaller than the diameter of a pillar portion. Therefore, Kondo does not disclose or suggest the subject matter recited in claims 1, 14 and 22.

Aoyama discloses a device with a buffer layer 14 ("base member"). Aoyama does not disclose or suggest a pillar portion, much less a diameter of a pillar portion. Therefore, Aoyama does not disclose or suggest the subject matter recited in claims 1, 14 and 22. Hence, Aoyama does not supply the subject matter lacking in Kondo.

The other applied references (Yoshikawa, Kakimoto, Kondo-II, Nakamura, and Sai) do not disclose or suggest a diameter of a base member that is smaller than a diameter of a pillar portion. Therefore, these additional references do not supply the subject matter lacking in Kondo and Aoyama.

In view of the above, Kondo, Aoyama and the additional references, either individually or in combination, do not disclose or suggest the subject matter recited in claims 1, 14 and 22, and claims 2-8, 11-13, 15, 16, 19-21, 23 and 24 depending therefrom.

Accordingly, withdrawal of the rejection of claims 1-8, 11-16 and 19-24 under 35 U.S.C. §102(b) and §103(a) is respectfully requested.

New claims 25 and 26 are believed to be patentable over the applied references at least for the patentability of claims 1 and 22, from which they respectfully depend, as well as for additional features they recite. For example, the applied references do not disclose or suggest an optical member that is formed over an entire top surface of the base member.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-8, 11-16 and 19-26 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Copy of July 7, 2005 Form PTO-1449
Copy of August 2, 2005 Form PTO-1449

Date: October 21, 2005

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